IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

Bail Appl..No. 7728 of 2007()

CRIME 308/00 OF PUTHUNAGARAM POLICE STATION

PETITIONER/ACCUSED NO.3

BIMAL, AGED 32 YEARS,
S/O. K.R.VALAYUDHAN, C.P.S. COLONY, GOUNDAN PALAYAM,COIMBATORE, TAMILNADU.

BY ADV. SRI.M.G.KARTHIKEYAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA
REPRESENTED BY SUB INSPECTOR OF POLICE
PUTHUNAGARAM POLICE STATION, PALAKKAD DISTRICT
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7728 OF 2007

Dated this the 14th day of December, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly involved in the storing of 7100 litres of spirit in a building. The petitioner was granted anticipatory bail at the crime stage. Investigation was subsequently completed. Final report was filed. Cognizance was taken. Committal proceedings was registered in 2004. The petitioner did not appear before the learned Magistrate thereafter. Coercive processes were issued and the petitioner had long last arrested on 28.11.07. He continues in custody from that date. His applications for bail having been dismissed by the learned Magistrate and the learned Sessions Judge.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that appropriate safeguards are insisted to ensure

the presence of the petitioner for trial before the courts below and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be enlarged on bail on the following terms and conditions:

i) He shall execute a bond for Rs.2,00,000/- (Rupees two lakhs only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall, until the case against him is finally disposed of by the courts, report before the S.H.O. Of the Puthunagaram Police Station between 5 p.m. and 6 p.m. on the first and third Sundays of all English calender months.

(R.BASANT, JUDGE)

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